No. 97-1802-CFX itle: David Conn and Carol Najera, Petitioners V. Paul L. Gabbert Docketed: Court: United States Court of Appeals for May 7, 1998 the Ninth Circuit Entry Date Proceedings and Orders May 4 1998 Petition for writ of certiorari filed. (Response due August 14, 1998) Waiver of right of respondent Paul Gabbert to respond filed. May 18 1998 May 19 1998 DISTRIBUTED. June 4, 1998 Jun 1 1998 Response requested. Order extending time to file response to petition until Jun 9 1998 August 14, 1998. Aug 14 1998 Brief of respondent Paul Gabbert in opposition filed. Aug 26 1998 REDISTRIBUTED. September 28, 1998 Sep 10 1998 Reply brief of petitioners David Conn, et al. filed. Petition GRANTED. limited to the following questions: (1) Oct 5 1998 Does a prosecutor violate an attorney's rights under the Fourteenth Amendment by causing the attorney to be searched at the time his client is testifying before a grand jury? (2) If the answer to the first question is "yes," was such a right on the part of the attorney clearly established in March, 1994? SET FOR ARGUMENT February 23, 1999. **********

Nov 18 1998 Joint appendix filed. Nov 18 1998 * Joint appendix in three volumes filed. Brief of petitioner David Conn, et al. filed. Nov 18 1998 Brief amicus curiae of Criminal Justice Legal Foundation Nov 19 1998 filed. Dec 17 1998 Brief amici curiae of National Association of Criminal Defense Lawyers, et al. filed. Brief of respondent Paul Gabbert filed. Dec 21 1998 Jan 19 1999 Reply brief of petitioners David Conn and Carol Najera filed. Jan 22 1999 CIRCULATED. Feb 22 1999 Record filed.

Feb 22 1999 Record filed. Feb 23 1999 ARGUED.